IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):   Levergood et al.

Application No.:   09/548,235

Filing Date: April 12, 2000

Title: Web Advertising Method

Art Unit: 2155

Examiner: Patrice L. Winder

Docket No.:   432383-600011

Declaration of Prior Invention to Overcome Cited References Under 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on ___August 3, 2006___

By: _____ /Suzanne Koston_____

Sir:

This Declaration is submitted to establish invention of the claimed subject matter of this application prior to March 20, 1995 (the "effective date").

We, Thomas Mark Levergood, Lawrence C. Stewart, Stephen Jeffrey Morris, Andrew C. Payne, and George Winfield Treese, inventors of the subject matter described and claimed in this application, titled "Web Advertising Method" declare as follows:

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1.   Prior to March, 1995, Messrs. Stewart, Payne and Treese engaged in discussions regarding the development of technology for an Internet-based electronic commerce system for Open Market Inc. ("OMI"), the original assignee of the '780 patent. Messrs. Morris and Levergood joined OMI in January 1995. Prior to March, 1995 and as shown on page 4 of Exhibit A, a document (with Andrew Payne's name at the top of the document) describes an Internet web-based service for customers and advertisers. The web-based service can provide web pages for customers (e.g., web pages containing news and advertisements). The web-based service can provide advertisers with a channel to potential customers. Exhibit A shows conception of claim 1 before the effective date. (The redacted date in Exhibit A is prior to the effective date.) More specifically, Exhibit A discusses *"a method of charging for advertising on the Web"* (as recited in claim 1), such as on page 3 of Exhibit A: "We can get money from users and advertisers" and "We can charge for placing ads into user's newspapers. We can have several charging models."   Exhibit A discloses *"determining link traversals leading to a page"* (as recited in claim 1), such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> * per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> * commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

Exhibit A discloses *"charging for advertising based on link traversals to the page"* (as recited in claim 1), such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> * per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.

- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

2. Exhibit A shows conception of claim 2 before the effective date. More specifically, Exhibit A discusses *"wherein charging for advertising is based on the number of link traversals from an advertising page to a product page,"* such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> - per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> - commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

3. Exhibit A shows conception of claim 3 before the effective date. More specifically, Exhibit A discusses *"wherein charging for advertising is based on the number of sales resulting from a path including an advertising page,"* such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> - per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> - commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

4. Exhibit A shows conception of claim 4 before the effective date. More specifically, Exhibit A discusses *"determining link traversals leading from an advertisement to a page"* and *"measuring the number of sales resulting from link traversals from the advertisement to the page,"* such as on page 3 of Exhibit A:

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We can charge for placing ads into user's newspapers. We can have several charging models.

[...]

- per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

5.   Exhibit A shows conception of claim 5 before the effective date. More specifically, Exhibit A discusses *"determining link traversals leading from an advertisement to a page"* and *"measuring the number of transactions resulting from link traversals from the advertisement to the page"* such as on page 3 of Exhibit A:

We can charge for placing ads into user's newspapers. We can have several charging models.

[...]

- per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

6.   Exhibit A shows conception of claim 6 before the effective date. More specifically, Exhibit A discusses the limitations of claim 6 (e.g., *tracking access history, including a link sequence through which a document is accessed; determining, based on the access history, link traversals from a first document to a second document; determining a number of such determined link traversals leading from the first document to the second document; and charging for advertising based on the number of link traversals to the second document*)." For example, Exhibit A discusses the limitations of claim 6 on page 3 of Exhibit A:

We can charge for placing ads into user's newspapers. We can have several charging models.

[...]

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- per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

7.   Exhibit A shows conception of claim 7 before the effective date.   More specifically, Exhibit A discusses *"wherein a link traversal is determined responsive to two entries in the access history, a first entry corresponding to a request from a given user for the first document and a second entry corresponding to a request from the given user for the second document,"* such as on pages 3 and 4 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> - per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> - commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.
> [...]

8.   Exhibit A shows conception of claim 8 before the effective date.   More specifically, Exhibit A discusses *"wherein the first document is an advertising page and the second document is a product page,"* such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers. We can have several charging models.
> [...]
> - per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> - commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

9.   Exhibit A shows conception of claim 9 before the effective date.   More specifically, Exhibit A discusses *"counting the number of sales resulted from a traversed path which includes the advertising page, wherein charging for advertising is based on the number of said sales,"* such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers.   We can have several charging models.
> [...]
> • per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> • commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

10.   Exhibit A shows conception of claim 10 before the effective date.   More specifically, Exhibit A discusses *"counting the number of purchases resulting from link traversals from the advertisement to the second page, the number of such purchases being a measure of advertising effectiveness,"* such as on page 3 of Exhibit A:

> We can charge for placing ads into user's newspapers.   We can have several charging models.
> [...]
> • per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
> • commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.
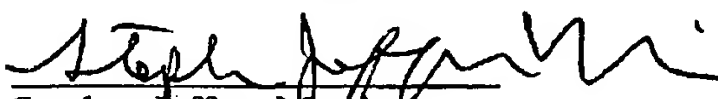
11.   Exhibit A shows conception of claim 11 before the effective date.   More specifically, Exhibit A discusses *"counting the number of transactions resulting from link traversals from the advertisement to the second page, the number of such purchases being a measure of advertising effectiveness,"* such as on page 3 of Exhibit A:

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We can charge for placing ads into user's newspapers. We can have several charging models.

[...]

- per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.

- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

12.   We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: _____   Date:_____
    Andrew C. Payne

By: _____   Date:_____
    Lawrence C. Stewart

By: _____   Date:_____
    George Winfield Treese

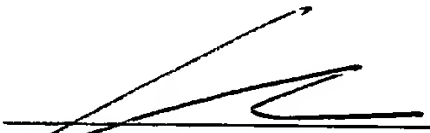By: _____   Date:_____
    Thomas Mark Levergood

By: _____   Date: 6/19/06
    Stephen Jeffrey Morris

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We can charge for placing ads into user's newspapers. We can have several charging models.
[...]

- per referral: for ads that include hypertext links to more information, we can we can [sic] build a mechanism (see below) that allows us to measure how many users followed the ad links.
- commission: if we can trace the user's reading of the ad in our newspaper to the purchase of the product or service, we could charge a commission for the sale.

12.   We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: _____   Date: 6/19/06
Andrew C. Payne

By: _____   Date:_____
Lawrence C. Stewart

By: _____   Date:_____
George Winfield Treese

By: _____   Date:_____
Thomas Mark Levergood

By: _____   Date:_____
Stephen Jeffrey Morris

By: _____   Date:_____

     Andrew C. Payne

By: _____   Date: 6/24/06

     Lawrence C. Stewart

By: _____   Date:_____

     George Winfield Treese

By: _____   Date:_____

     Thomas Mark Levergood

By: _____   Date:_____

     Stephen Jeffrey Morris

By: _____   Date: _____
　　Andrew C. Payne

By: _____   Date: _____
　　Lawrence C. Stewart

By: _____   Date: 6/20/20 06
　　George Winfield Treese

By: _____   Date: _____
　　Thomas Mark Levergood

By: _____   Date: _____
　　Stephen Jeffrey Morris
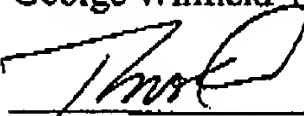
By: _____   Date:_____
      Andrew C. Payne

By: _____   Date:_____
      Lawrence C. Stewart

By: _____   Date:_____
      George Winfield Treese

By: _____   Date: June 15, 2006
      Thomas Mark Levergood

By: _____   Date:_____
      Stephen Jeffrey Morris

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Electronic Proceedings of the Second World Wide Web Conference '94: Mosaic and the Web

Welcome to the *Electronic Proceedings of the "Second World Wide Web Conference '94: Mosaic and the Web"!* This should be considered a work in progress until shortly after the Conference when the last of the papers are submitted and the final corrections are made.

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7. Campus Wide Information Systems
8. Commercialization and Economics of the Web
9. Computer Supported Cooperative Work
10. Corporate Information Systems
11. Developers' Day
12. Earth Sciences
13. Education
14. Evolving Interfaces
15. Finance and Taxes
16. General Science
17. Human Computer Interaction
18. International
19. Library Applications
20. Local Communities / Free Nets
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22. Medical Track
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24. Museum Track
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28. Publishing
29. Searching
30. Security on the Web
31. Social Sciences
32. Tutorial Sessions
33. Virtual Reality

34. Web Products

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